



MINUTES

ROCK COUNTY LAND CONSERVATION COMMITTEE WEDNESDAY JULY 1, 2020, 7:15 P.M. Virtual Meeting - Zoom

- Call to Order:** Chair Bostwick called the meeting to order at 7:15 pm.

Committee Members Present: Stephanie Aegerter, Rich Bostwick, Wes Davis, Kaelyb Lokrantz, Mike Mulligan, James Quade, Alan Sweeney and Jeremy Zajac.

Committee Members Excused: NONE

Others Present: Andrew Baker, LCD; Chris Newberry, LCD; Greg Turco, Citizen; Dr. Brittney Keyes, Citizen; Maggie Bromley, Citizen; Katy Grogan; Citizen.
- Approval of Agenda:** Chair Bostwick asked to move Item 8 on the agenda to after Item 5. The Committee agreed. Supervisor Davis moved to approve the agenda as amended, seconded by Supervisor Mulligan. **Motion Carried.**
- Approval of Minutes – June 3, 2020 LCC meeting:** Supervisor Davis clarified his statement in the minutes regarding the recently revised POROS Plan. The draft minutes reflect he stated the plan is currently being amended. Supervisor Davis stated, rather, the plan is complete and those involved should be commended on a job well done. Supervisor Zajac moved the minutes from the June 3, 2020 LCC meeting with the clarification, seconded by Supervisor Mulligan. **Motion Carried.**
- Citizen Participation, Communications, and Announcements:** Chair Bostwick welcomed recently hired County Conservationist Andrew Baker back to the Department. Andrew thanked the Committee for the confidence and opportunity to take on the new role.

Citizen Greg Turco, 4606 Hearthstone Dr, Janesville, read his written statement in support of the Resolution In Support of Effective Federal Carbon Fee & Dividend Legislation to Mitigate the Climate Crisis (full statement is available on file and via the meeting recording).

Andrew read the statement of citizen Eugene Beir, 8306 Eagle Dr., Milton, in support of the Resolution In Support of Effective Federal Carbon Fee & Dividend Legislation to Mitigate the Climate Crisis (full statement is available on file and via the meeting recording).

Andrew read the statement of citizen Barbara Fett, 548 Bostwick Ave, Janesville, in support of the Resolution In Support of Effective Federal Carbon Fee & Dividend Legislation to Mitigate the Climate Crisis (full statement is available on file and via the meeting recording).

Citizen Dr. Brittney Keyes, 1611 E Ridge Rd, Beloit, read her written statement in support of the Resolution In Support of Effective Federal Carbon Fee & Dividend Legislation to Mitigate the Climate Crisis (full statement is available on file and via the meeting recording).

Citizen Maggie Bromley, 1025 Willard Ave, Janesville, read her written statement in support of the Resolution In Support of Effective Federal Carbon Fee & Dividend Legislation to Mitigate the Climate Crisis (full statement is available on file and via the meeting recording).

Citizen Katy Grogan, 1735 W Rugby Rd, Janesville, read her written statement in support of the Resolution In Support of Effective Federal Carbon Fee & Dividend Legislation to Mitigate the Climate Crisis (full statement is available on file and via the meeting recording).

5. **Review Bills Paid:** The committee reviewed the bills paid. Supervisor Davis asked a question regarding the payment to David and Lynette Wellnitz. Supervisor Sweeney explained that the payment was for practices to be installed through the Yahara WINS Adaptive Management program. No other questions were asked.

8. **Resolution: In Support of Effective Federal Carbon Fee & Dividend Legislation to Mitigate the Climate Crisis.** (Move up on the agenda). Moved by Supervisor Aegerter, seconded by Supervisor Davis. Supervisor Lokrantz introduced the resolution, including recognizing the other communities that have passed similar resolutions. Citizen Katy Grogan, leader of Citizens Climate Lobby, provided additional comments in support of the resolution. She explained that there are differences between the various draft legislation at the Capital right now. This resolution supports an option that has a low administrative cost. Ms. Grogan fielded questions. The Committee was informed that this resolution was passed on a 5-4 vote at County Board Staff Committee. Supervisor Davis asked if the City of Janesville has approved a similar resolution, to which the answer is yes. The City of Beloit has not. Supervisor Aegerter noted that the authors of the resolution carefully worded the resolution to specifically avoid giving the impression that this is solely a "climate change is real" message. Supervisor Lokrantz noted that the specific bill that this resolution is in support of has exemptions for military and agricultural activities. Supervisor Sweeney made comment against of the resolution, stating a carbon tax is a regressive tax and noted that in Europe where measures such as this have been put in place the cost of goods and services are too high. Supervisor Sweeney considers this concept a short sighted solution, noting this type of legislation has led to increased burning of wood rather than other fuels, which still releases carbon. With that, noting the clear support from others, Supervisor Sweeney moved to call the question to end discussion, seconded by Mr. Quade. The motion was defeated by a voice vote. Supervisor Davis asked if there is a fiscal impact directly related to this resolutions, which there is not since it is advisor only. Supervisor Aegerter future clarified that this type of legislation would result in effectively a tax on producers and exporters. There was additional discussion. Chair Bostwick called for the vote. **Motion Carried** (w/ Sweeney dissent).

6. **Construction Site Erosion Control/Storm Water Management Ordinance: Request to Waive Double Permit Fees – MS Properties.** Andrew explained the landowner's request that double permit fees be waived for an after-the-fact permit for a project that was started in the fall of 2019. Waiving of any permit fee is an action only the LCC can address. All fees have already been paid, so this is a request for a refund of a portion of the fees. Andrew referenced the landowner's letter in the packet and a staff report that was sent out via email earlier in the day. Supervisor Sweeney clarified that the request is to waive only the doubled portion of the total fee, not the fee in general. Andrew stated yes, the request is to return the doubled portion of the fee, totaling \$1,601.50. Andrew confirmed with the staff involved with the project that the landowner is currently in compliance the approved permit and the project is progressing. He also noted, as included in the staff reported, that two citations were paid for this violation (one for each applicable Ordinance), totaling \$1535.00. That action is not being appealed to the Committee, nor can it be. Andrew stated that the staff recommendation is the LCC approve a waiver of the double fee requirement with the condition that the erosion control and storm water management portions of project are substantially completed within the duration of the permit (1 year) and permit compliance is maintained. Completion of the building construction may occur after the permit duration provided only incidental stabilization around the building remains. Supervisor Aegerter moved to approve the request with the conditions as presented by staff, seconded by Supervisor Lokrantz.

7. **Resolution: Extending the Deadline for the Workgroup to Study High Nitrates Levels in Rock County's Groundwater.** Moved by Supervisor Lokrantz, seconded by Supervisor Quade. Chris Newberry explain the purpose of the resolution. The Workgroup is making good progress, but will not be able to complete the current task and sees value to extending work beyond the current deadline of December 31, 2020. If approved, the Workgroup will be extend to through December 2025. Chair Bostwick call for the vote. **Motion Carried.**

9. **Land and Water Resource Management Program - Approval of Cost Share Agreements:** Andrew Baker reviewed the Cost Share agreement to be considered for approval, one well abandonment for Roger Rebout and Sons Farm. Supervisor Zajac moved to approve the cost share agreement presented for approval, seconded by Supervisor Aegerter. **Motion Carried.**

10. **Update – Groundwater Workgroup Activities.** Chris Newberry gave the committee an update on activities since the last meeting. Chris also stated that the producer led watershed group effort is floundering somewhat due to the Covid-19 pandemic. The last meeting was held in February. Chris has a list of potential interested parties from the last meeting and will be scheduling another meeting shortly. It is likely that LCD will be taking the lead on this effort due to changes in UWEX staffing priorities. Supervisor Davis asked questions about lysimeters and whether or not there is currently state funding for the project. Chris stated there is not.

11. **Purchase of Agricultural Conservation Easements - Update.** Andrew stated he is working on final documentation for the Barlass Easements. The acquisition has been slowed somewhat for the property on County A due to right-of-way acquisition for the highway rebuild that has not been completed yet. The application period for the next cycle ends August 31st. Andrew will double check with past applicants that were not funded regarding interest in reapplying.

12. **Update – MS4 Permit Program.** Andrew stated that the agenda was amended to include this item following discussions with the County Administrator. He explained that the County is required to have a storm water permit for discharges from the County Highways with in the Urbanized Areas outside Janesville and Beloit. This permit has been required since 2006 and includes multiple requirements that the County has to meet, including public information and outreach and storm water quality modelling related to the Rock River TMDL. The permit has been revised/updated a number of times, with the most recent dated May 1, 2019 (5 year duration)The LCD is lead on the permit compliance efforts, but there is cooperation with Public Works. Based on program review the DNR last fall/winter, the County has been deemed out of compliance with the permit conditions. This resulted in a Notice of Violation sent to the Administrator's office. Andrew, Administrator Smith and Director of Public Works Duane Jorgenson had an enforcement conference with the DNR on June 30th discuss and clarify the concerns. Some items are minor, others will take more resources to address. Staff has agreed to provide a response with a timeline to address the matters by August 3, 2020. Compliance may require action by the LCC on policy or ordinance amendments in the future. Staff will keep the LCC informed in the process.

13. **Adjourn:** Supervisor Zajac moved to adjourn the July 1, 2020 Land Conservation Committee meeting at 8:29 pm, seconded by Supervisor Davis. **Motion Carried.**

Respectfully Submitted,

Andrew Baker
County Conservationist

Minutes are not official until adopted by the Land Conservation Committee.